

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Wang *et al.* CONFIRMATION NO.: 4607  
APPLICATION NO.: 10/581,845 GROUP NO.: Not yet assigned  
FILING DATE: June 5, 2006 EXAMINER: Not yet assigned  
TITLE: System and Method Providing Enhanced Features for Streaming Video-On-Demand

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO PETITION DECISION REGARDING THE FILING OF A PATENT APPLICATION INCLUDING NON-SIGNING INVENTORS UNDER 37 C.F.R. § 1.47(a)**

Sir:

This paper is responsive to the petition decision mailed from the U.S. Patent and Trademark Office on July 22, 2008, which set a two-month response period for resubmitting a grantable petition.

Applicants hereby petition the Commissioner to permit the filing of the above-identified application on behalf of non-signing inventors Meng Wang, Jian Wang and Ying Luo, in accordance with 35 U.S.C. § 118 and 37 C.F.R. § 1.47(a).

Applicants submit herewith:

1. The signed Statement of Nick Ringma and Cecilia Lu Setting Forth Pertinent Facts Regarding Non-Signing Inventors under 37 C.F.R. § 1.47(a) ("Statement") and supporting Exhibits A-T; and
2. Complete copies of the declaration of each of the signing inventors, Ignatius Chang and Peter Koat.

Applicants previously paid the petition fee of \$200 on April 30, 2008 and believe that no further fees are required for reconsideration of this petition. Nevertheless, if additional fees are required, the Commissioner is authorized to charge any further required fees to Deposit Account No. 50-1721.

*Last known addresses on non-signing inventors*

**Meng Wang**

Citizenship: Canada  
Last known address: 3027 Laurel Street  
Vancouver, British Columbia V5Z 3T6  
Canada

**Jian Wang**

Citizenship: China  
Last known address: 104-7495 Sandborne Avenue  
Burnaby, British Columbia V3W 4V4  
Canada

**Ying Luo**

Citizenship: Canada  
Last known address: 1012-1477 Mississauga Valley Boulevard  
Mississauga, Ontario L5A 3Y4  
Canada

*Interview*

Applicants sincerely thank Examiner Thomson for the telephonic interview on September 8, 2008, during which Applicants and Examiner Thomson discussed the evidentiary requirements for a petition under 37 C.F.R. § 1.47(a).

Applicants submit herewith the signed Statement of Nick Ringma and Cecilia Lu, who have firsthand knowledge of the efforts to locate inventors Meng Wang, Jian Wang, and Ying Luo. The attached Statement sets forth in detail the exact efforts that were made to locate these individuals. Applicants also submit herewith supporting Exhibits A-T as further evidence of the efforts to locate these inventors.

*Updated searches*

The petition decision stated that the attempts to locate Meng Wang and Jian Wang in U.S. Application No. 10/727,857 were outdated and therefore could not be relied upon in the present application. In addition, the petition decision stated that there was no evidence that a search was conducted for Ying Luo.

In response to the petition decision, Applicants conducted new searches in an attempt to locate inventors Meng Wang, Jian Wang, and Ying Luo. These inventors are former employees of Even Technologies, which is located in Vancouver, British Columbia. Applicants therefore searched both Vancouver-area and Canada-wide telephone directories in an attempt to locate these inventors. In addition, Applicants searched web pages such as Google, LinkedIn, and Facebook for profiles which match those of the non-signing inventors. Furthermore, Applicants spoke with former coworkers of the non-signing inventors and none of the coworkers knew the current location of Meng Wang, Jian Wang, or Ying Luo.

The searches and search results for Meng Wang, Jian Wang, and Ying Luo are discussed in further detail in the attached Statement and supporting Exhibits.

*Last known addresses*

The petition decision noted that the last known addresses of Meng Wang and Jian Wang listed in the current petition differ from the addresses that were listed in the petition that was submitted in U.S. Application No. 10/727,857. In addition, the petition decision noted that no explanation was given as to how Applicants obtained Ying Luo's email address.

Meng Wang's last known residential address is listed above. The last known address listed in the petition in U.S. Application No. 10/727,857 was the address of a subsequent employer that Meng Wang was known to have worked for. Because the subsequent employer is no longer at that address, Meng Wang's last known residential address was used in the current petition.

Similarly, the last known address for Jian Wang listed in the current petition is different than the address listed in the petition in U.S. Application No. 10/727,857 because Jian Wang was known to have moved to the last known address listed above.

Finally, with respect to Ying Luo's email address, Applicants obtained this email address during a search of Even Technologies' personnel files.

The details of the last known addresses for Meng Wang, Jian Wang, and Ying Luo are discussed in more detail in the attached Statement.

Declarations

The petition decision stated that the declaration of the inventors was insufficient because Applicants submitted one complete copy of a declaration and a portion of a copy of another declaration.

Inventors Ignatius Cheng and Peter Koat have joined in the Application and have executed declarations on their behalf and on behalf of non-signing inventors Meng Wang, Jian Wang, and Ying Luo. Accordingly, Applicants submit herewith a complete copy of a declaration signed by Ignatius Cheng and a complete copy of a declaration signed by Peter Koat. Applicants believe that the declarations submitted herewith address the objection.

SUMMARY


In view of the diligent efforts to contact inventors Meng Wang, Jian Wang, and Ying Luo discussed above and discussed in the attached Statement and Exhibits, it is respectfully submitted that these inventors cannot be reached and/or are unwilling to join in the application. Accordingly, Applicants respectfully request that this petition and rule 1.47(a) status be granted in the present application.

The Office is invited to contact the undersigned attorney to discuss any issues relating to this petition.

Respectfully submitted,

Date: September 22, 2008  
Reg. No.: 58,175

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